



Office of the City Attorney

March 1, 2019

Via E-mail at 69145-81942777@requests.muckrock.com

JPat Brown
MuckRock News
DEPT MR 69145
411A Highland Ave
Somerville, MA 02144-2516

RE: Your Public Records Act Request Dated February 19, 2019

Dear Mr. Brown:

I write in response to your February 19, 2019 Public Records Act request seeking the following records from the Berkeley Police Department:

1. Incidents involving the discharge of a firearm at a person by a peace or custodial officer.
2. Incidents in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury.
3. Any record(s) relating to any incident(s) in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public.
4. Any record(s) relating to any incident(s) in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.
5. Any civilian complaint that is not otherwise encapsulated by the aforementioned, and is not exempt from disclosure.

The City of Berkeley has determined pursuant to Government Code section 6253(c) that your request seeks copies of disclosable public records maintained by the Berkeley Police Department. The City intends to produce disclosable, non-exempt records that are the subject of this request with all practicable speed. However, due to the voluminous nature of the documents requested and the extensive redactions that may be required under Penal Code section 832.7(b), the City cannot

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provide an estimated date on which the response will be completed at this time. We will provide an update on the timing of the completion of the response as more information becomes available.

Please do not hesitate to contact me at (510) 981-6997 if you have any questions about the City's response to your request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Jensen', is positioned above the printed name.

Christopher D. Jensen
Deputy City Attorney

cc: Captain Jennifer Louis, Berkeley Police Department